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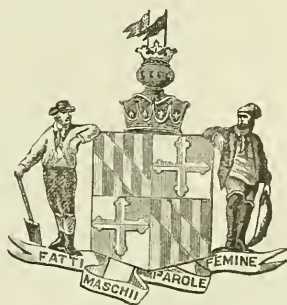
REPORT

OF THE

COMMISSIONER OF THE LAND OFFICE

OF MARYLAND,

From October 1, 1895 to September 30, 1897.



BALTIMORE:

PRINTED BY KING BROS., STATE PRINTERS.

1898.

Commissioners of the Land Office

*From the First Settlement of the State to the
Present Time.*

JOHN LEWGER—1637.

Member of the Council—Officer in charge of land grants, &c.

JOHN LANKFORD—1641.

"During his natural life."—Surveyor General.

ROBERT CLARKE—1648.

Surveyor General.

JEROME WHITE—1664.

Surveyor General.

BAKER BROOKE—1676.

Surveyor General.

VINCENT LOWE—1679 to 1680.

Surveyor General.

In 1680 the Land Office was created, with a Register on each shore.

JOHN LLEWELLIN—*Register for Western Shore.*

VACHEL DOWNES—*Register for Eastern Shore.*

HENRY DARNAL—*Register, 1688.*

CHARLES CARROLL—*Register, 1712.*

EDWARD GRIFFITH—*Register, 1715.*

EDMUND JENNINGS—*Judge and Register, 1732.*

LEVIN GALE—*Judge and Register, 1738.*

PHILIP THOMAS—*Judge and Register, 1743.*

BENJ. TASKER AND BENJ. YOUNG—*Judges and Registers, 1746.*

BENJ. YOUNG AND GEORGE STEUART—*Judges and Registers, 1747.*

BENEDICT CALVERT AND GEORGE STEUART—*Judges and Registers, 1755.*

ST. GEORGE PEALE—*Register, 1777.*

JOHN CALLAHAN—*Register, 1779.*

JOHN KILTY—*Register, 1806.*

JOHN BREWER—*Register, 1812.*

G. G. BREWER—*Register, 1827.*

In 1841 the Eastern Shore office was transferred to the Western Shore,

G. G. BREWER—*Register for Western Shore.*

SAMUEL ROBERTS—*Register for Eastern Shore.*

The Constitution of 1851 created the office of Commissioner of the Land Office.

HON. JAMES MURRAY—1852.

HON. WILLIAM L. W. SEABROOK—1857.

HON. GEORGE L. L. DAVIS—1868.

DR. WILLIAM R. HAYWARD—1869.

J. THOMAS SCHARF, A. M., LL. D.—1884.

PHILIP D. LAIRD—1892.

WM. O. MITCHELL—1896.

REPORT.

LAND OFFICE OF MARYLAND,

ANNAPOLIS, November 1st, 1897.

To His Excellency, the Governor:

SIR:—I have the honor to transmit to your Excellency a report of the work of the Land Office of Maryland, from October 1, 1895, to September 30, 1897.

Warrants have been issued as follows:

Common warrants.	37
Special warrants.....	49
Special warrants of resurvey.	13
Special warrants of escheat.....	6
Special warrants of proclamation.....	4
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Total.....	109

Of these warrants, forty-two have been executed, thirty-five have expired by limitation of law, and thirty-two remain in force.

Certificates of survey returned, 52.

PATENTS ISSUED.

Fifty-four patents have been issued, granting six thousand one hundred and seventy-one acres and fourteen perches of land, of which three thousand and twenty-three acres, three rods, and thirty-nine perches were vacant land. A complete list of said patents is subjoined:

LAND PATENTS.

Land Patents issued from October 1st, 1895, to September 30th, 1897.

NAME OF LAND.	Acres.	Roads.	Perches.	NAME OF PATENTEE.	COUNTY.	Vacant Land		
						Acres.	Roads.	Perches.
Look Out.....	2			Thomas J. Hudson..	Worcester..	.....	.....	.....
Birche's Protection..	10	2		James W. Birch.....	Worcester..	.....	.....	.....
Long Truited.....	17	3		John A. J. Hudson.....	Worcester..	.....	.....	.....
Troas Resurveyed.....	933	1		Richard S. McCulloch and Daniel E. Ofutt ..	Garrett. . .	78	2	28
Pine Swamp.....	66			Daniel E. Ofutt.....	Garrett.....	62	.....	.....
Goode's Muskrat Marsh.....	62		38	James V. Goode.....	Dorchester..	64	.....	38
Maddox's Say So..	11	2	20	John W. Maddox.....	Somerset...	11	2	20
Tull's Venture.....	142	2		Alonza E. Tull, Francis H. Tull and S. Ashton Tull. (A. E. Tull & Co.)	Somerset ..	142	2	.....
Smith's Satisfaction.....	65			Robert Smith.....	Dorchester..	65	.....	.....
Margaret's Delight.....	724			Robert Smith.....	Dorchester..	.....	.....	.....
Forrest Spring.....	48			Richard H. Willison	Allegany.....	48	.....	.....
Cannon's First Effort.	1	2	10	Thomas J. Cannon	Frederick... 1	2	10	.....
Thomas' Island.....	1	1	11	Thomas J. Cannon	Frederick... 1	1	11	.....
Elenora's Island.....	1	3	7	Thomas J. Cannon	Frederick... 1	3	7	.....
The Hill Side.....	2	2		Thomas W. Warfield, Cecilius E. Warfield, Leondias M. Griffith and Ruth E., his wife.	Howard ...	3	3	.....
Purnell's Luck.....	6	1		George W. Purnell.....	Worcester..	6	1	.....
Todd and Insley's Discovery.....	11			Mrs. George Todd and George C. Insley.....	Dorchester..	11	.....	.....
Holbert's Trial.....	26	2	20	Isaac Holbert	Washington	26	2	20
Stagnum.....	14	1	8	Julian J. Alexander	Balto City. .	14	1	8
Hurley's Enterprise.....	88			James V. Goode.....	Dorchester..	88	.....	.....
Insley's Marsh.....	5			George C. Insley.....	Dorchester..	5	.....	.....
Addition to Belle Vöye.....	305			Thomas J. Andrews.....	Dorchester..	305	.....	.....

By a comparison of the foregoing statistics with those reported in past years, it will be observed, that so far from decreasing with the lapse of years, as might naturally have been expected, the work of this office has been very materially increased.

The re-arrangement of the certificates of survey and chancery papers and the indexing thereof, begun by my predecessor, has been continued ; a number of caveat cases have been heard and determined, and the various decisions have been apparently acquiesced in, as no appeals have been taken ; and a voluminous amount of correspondence, which steadily increases, has very largely taxed the time and attention of the commissioner and his assistant.

CONDITION OF THE OFFICE.

On the entry of the present incumbent upon the duties of his office, he found bare floors and but little furniture, suitable for the convenience of its official occupants, not to mention the reception of the numerous citizens and strangers, who upon matters of business or from curiosity to inspect our ancient records, constantly visit it. The commissioner is glad to be able to report that all this has been rectified, and that without calling upon the Legislature, he has been enabled, to carpet and suitably furnish the rooms appertaining to it, so that it is now a credit to the State and a comfort to its employees.

THE RECORDS OF THE OFFICE.

The records in the Land Office now embraces the following :

Land Office Records, proper.....	331 vols.
Provincial and General Court Records.....	137 “
Chancery Records and Dockets.....	220 “

EXTRACTS OF DEEDS—

Miscellaneous, Series M. S., 1 to 12, 1788 to 1823, and indexes.....	14 “
Miscellaneous, Series A. G., 1 to 19, 1792 to 1815, and indexes.....	21 “

Miscellaneous, Series E. H., 1 to 35, 1815 to 1849, and indexes.....	39 Vols.
Allegany County, 18 volumes and 3 indexes.....	21 “
Anne Arundel County, 22 volumes and 3 indexes.	25 “
Baltimore City, 415 volumes and 40 indexes.....	455 “
Baltimore County, 148 volumes and 10 indexes....	158 “
Baltimore County and City, 105 vol. 11 indexes...	116 “
Calvert County, 3 volumes and 2 indexes.....	5 “
Caroline County, 10 volumes and 2 indexes.....	12 “
Carroll County, 20 volumes and 4 indexes.....	24 “
Cecil County, 13 volumes and 3 indexes.....	16 “
Charles County, 7 volumes and 2 indexes	9 “
Dorchester County, 9 volumes and 2 indexes.....	11 “
Frederick County, 93 volumes and 10 indexes...	103 “
Garrett County, 3 volumes and 2 indexes	5 “
Harford County, 24 volumes and 4 indexes.....	28 “
Howard County, 15 volumes and 2 indexes	17 “
Kent County, 14 volumes and 2 indexes	16 “
Montgomery County, 23 volumes and 3 indexes...	26 “
Prince George's County, 11 volumes and 3 indexes	14 “
Queen Anne's County, 13 volumes and 2 indexes..	15 “
Somerset County, 17 volumes and 3 indexes.....	20 “
St. Mary's County, 8 volumes and 3 indexes.....	11 “
Talbot County, 9 volumes and 2 indexes	11 “
Washington County, 36 volumes and 6 indexes...	42 “
Wicomico County, 4 volumes and 2 indexes.....	6 “
Worcester County, 12 volumes and 3 indexes.....	15 “
Charles County Court and other records.....	71 “
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In addition to the foregoing are 45,000 certificates of survey, and 12,415 bundles of chancery papers, and a very large number of maps and miscellaneous papers. More than five thousand certificates have been jacketed, numbered and indexed, and about 1,000 chancery cases have been likewise treated.

Appendix No. 1 contains a list of the Land Office books, with their respective contents, &c.

EXTRACTS OF DEEDS.

Extracts of deeds from Baltimore City and the several counties of the State have been transmitted to this office in compliance with sections 54 and 55 of article 17 of the Code of Public General Laws, as follows:

Alleghany county; complete to April, 1897.

Anne Arndel county; complete to April, 1897.

Baltimore city; complete to April, 1897.

Baltimore county; complete to May, 1897.

Calvert county; no extracts in this office from 1817 to 1882, excepting from December 5th, 1863, to June 1st, 1867, and from December, 1873, to June, 1875. Extracts complete from June, 1882, to May, 1897.

Caroline county; complete to June, 1897.

Carroll county; complete to January, 1896.

Cecil county; complete to March, 1896.

Charles county; complete from 1875 to April, 1897. No extracts from 1828 to 1875.*

Dorchester county; complete to February, 1896.

Frederick county; complete to November, 1896.

Garrett county; complete to June, 1897.

Harford county; complete to December, 1895.

Howard county; complete to June, 1897.

Kent county; complete to June, 1897.

Montgomery county; complete to April, 1896.

Prince George's county; no extracts from 1827 to 1844, nor from 1847 to 1879, excepting the years 1861 and 1862. Complete from 1879 to August, 1887. Under the Act of 1890, chapter 599, the following have been transmitted: 1828 to 1830; 1840 to 1841; 1841 to 1843; 1843 to 1845; 1847 to 1849; 1849 to 1850; 1850 to 1851; 1851 to 1854; May to November, 1854; 1855 to 1857; 1857 to 1859; 1859 to 1860; 1860 to 1861; 1863 to 1874; 1878 to 1879—there remains to be received from 1830 to 1840, and from 1874 to 1878.

Queen Anne's County; complete to June, 1897.

St. Mary's County; complete to June, 1897.

Somerset county; complete to May, 1897.

Talbot County ; complete to June, 1897.

Washington county ; complete to June, 1897.

Wicomico county ; complete to February, 1895.

Worcester county ; complete to April, 1895.

*CHARLES COUNTY RECORDS.

In May, 1889, as noted in the last preceding report from this office, by order of the Judges of the Circuit Court for Charles County, seventy-one volumes of the ancient records of that county were deposited in the Land office. Since said report and in pursuance of its suggestion, the aforesaid volumes have been accepted and rebound by legislative authority. And now, that they have become part and parcel of the archives of the State, I earnestly repeat the recommendation of my predecessor that the said volumes be indexed by legislative authority, for being without an index they are almost useless for the purpose for which they were designed. Every inquiry into matters embraced in these records, requires a prolonged search through very many volumes, and it can readily be seen that this duty cannot be attended to without materially affecting the efficiency of the force. The remedy is the passage of an Act by the General Assembly authorizing the Commissioner of the Land Office to employ a clerk for the purpose of indexing said records at the same rate of compensation now allowed clerks of Courts for the like duty, and making provision for payment to him for his services. It is simply impossible for the Commissioner with his present force to undertake it, having due regard to their other duties.

BOUNDARIES AND MUSEUM.

My predecessor, in his reports, repeatedly called the attention of the legislature to the inadequate space of this office to accommodate the museum and recommended its donation to the Maryland Academy of Sciences in Baltimore. Since his last report, in pursuance of this recommendation, the General Assembly has authorized said donation, and the entire collection has accordingly been transferred to the keeping of said corporation. In appendix* No. 3, will be found a list of all

documents, maps, &c., on file in the Land office, relating to the boundaries of the State.

STATE RECORDS IN POSSESSION OF THE MARYLAND HISTORICAL SOCIETY.

In appendix No. 2 will be found a list of all the records belonging to the Land Office now in the possession of the Maryland Historical Society, under the provisions of the Act of 1882, chapter 138.

ANCIENT SEALS.

All of the ancient seals of the Province and State, with one exception, are preserved intact. Many years ago the seal used by the Register of the Eastern Shore Land Office when there existed a division between the eastern and western shores, was in some manner unknown, abstracted. The present Commissioner has set on foot in Talbot County and elsewhere, numerous inquiries looking to the recovery of this missing seal, but so far without result. This unpleasant incident has suggested to the Commissioner the propriety of the adoption of a more secure method of preserving these seals. And he respectfully asks for authority to purchase, or have constructed, an appropriate cabinet in which all the seals can be securely preserved together, so that they cannot be stolen, or if so they must all go together, thus largely increasing the chances of detection and the ultimate recovery of this peculiarly interesting property of the State.

THE NEW MAPS.

Under the provisions of the Act of 1896, chapter 18, new maps of the military lands in the counties of Alleghany and Garrett, were authorized by the Legislature, to be made for the use of this office, and an appropriation of \$200 was made for that object. This work has been admirably done by the chief clerk of the Land Office, out of his own time, and at very considerable labor and expence. It is questionable if the same work would or could have been done by any other party for

twice the amount of compensation offered, and I think, and therefore respectfully recommend, that an appropriation of at least \$50 be authorized by the Legislature in part recognition at least of his valuable services.

It having been found desirable to have reproduced an original Map, (entitled the "Boundary Line between Maryland and Virginia, Western Meridian Line—surveyed under the Orders of the Joint Commission appointed in obedience to the Act of the General Assembly of Maryland of May 27th, 1852, and to the Act of the General Assembly of Virginia of March 26th, 1858—Thos. J. Lee of Maryland, Angus W. McDonald of Virginia Commissioners—By Lieut. N. Michler, U. S. Topographical Engineer, assisted by John de la Camp and L. Daser, 1859 and 1860,") belonging to the records of this office; (to be used in the new survey, of said Western Line, ordered by the Supreme Court of the United States,) by the authority of your Excellency, I permitted the same to be carried to Baltimore for that purpose. The reproduction was made, and the original has been safely returned to this office.

I desire, before closing, to make official acknowledgment of my indebtedness to the clerical force in my office for the intelligent and faithful assistance rendered me in the discharge of my duties as Land Commissioner. The fidelity and attention of Messrs. Charles M. M. Wingate and Arthur F. Smith, the index clerks, have been all that could be desired; and in Mr. George H. Shafer, chief clerk, I have had abundant opportunity to recognize and appreciate those qualities that for many years have caused him to be widely known as one of the most accomplished and efficient officials of the State. His services to the Land Office have indeed been almost invaluable.

Respectfully submitted,

WM. O. MITCHELL,
Commissioner of the Land Office.

Appendix No. 1.

LAND OFFICE RECORDS.

Series Nos. 1 to 23, Patents, Certificates, Warrants, Assignments, Petitions and Court Proceedings, 1638-1695.....	23 Vols.
Liber A. B. & H., Patents, 1646-1654....	1 “
“ Q. Patents, Certificates, Warrants, etc., 1658..	1 “
“ C. B. Nos. 2 and 3, Patents, 1680-1683.....	2 “
“ J. B. & J. L., No. C., Patents, 1684-1700....	1 “
“ S. D., No. A., Patents, 1683-1684.....	1 “
“ N. S., Nos. B and 2, Patents, 1683-1688.....	2 “
“ W. D. Patents, 1689-1706.....	1 “
“ D. S., No. F., Warrants, Assignments and Patents, 1685-1706.....	1 “
“ B. B., No. 3 A, Patents and Certificates, 1686- 1697.....	1 “
“ C. C., No. 4, Patents and Certificates, 1696- 1699.....	1 “
“ D. D., Patents and Certificates, 1696.....	1 “
“ C., Patents and Certificates, 1694-1695.....	1 “
“ D. D., No. 5, Certificates, Assignments, &c., 1700-1713.....	1 “
“ E. E., No. 6, Patents and Certificates, 1713- 1715.....	1 “
“ F. F., No. 7, Patents and Certificates, 1713- 1721.....	1 “
“ P. L., Nos. 2 to 8, Patents, 1706-1734.....	7 “
“ R. Y., No. 1, Patents, 1714.....	1 “
“ C. E., No. 1, Patents, 1715-1722.....	1 “
“ J. L., Nos. A. and B, Certificates and Assign- ments, 1719-1733.....	2 “
“ A. M., No. 1, Certificates and Assignments, 1728 1735.....	1 “
“ E. J., Nos. 1 to 6, Patents and Certificates, 1732-1743.....	6 “
“ L. G., Nos. B, C, & E, Certificates and Assign- ments, 1743-1745.....	∞ “

Liber P. T., Nos. 1 and 2, Patents, 1743-1746.....	2	Vols.
“ B. T. & B. Y., No. 3, Patents, 1745-1747....	1	“
“ T. J., Nos. 1, 3 and 4, Patents and Certificates, 1747-1751	3	“
“ B. Y. & G. S., Nos. 1 to 5, Patents, Certifi- cates, etc., 1746-1751.....	5	“
“ Y. & S., Nos. 6 to 8, Certificates and Patents, 1751-1754	3	“
“ G. & S., Nos. 1 and 2, Certificates and Patents, 1752-1755.....	2	“
“ B. C. & G. S., Nos. 1 to 52, Patents, Certifi- cates, etc., 1754-1776.....	52	“
“ J. C., Nos. A. to S, Patents and Certificates, 1782-1809.....	18	“
“ J. K., Nos. T. & U., Patents and Certificates, 1805-1811.....	2	“
“ J. B., Nos. A. to G., Patents and Certificates, 1811-1823.....	7	“
“ J. B. & G. G. B., No. H., Certificates, 1824- 1829.....	1	“
“ G. G. B., Nos. 1, 2, 3, Patents and Certificates, 1828-1842	3	“
General Indices to above Records.....	7	“
“ G. G. B., Nos. 4 to 8, Patents and Certificates, 1806-1857.....	6	“
“ W. L. W. S., Nos. 2 and 3, Patents and Certifi- cates, 1861, 1871.....	2	“
“ G. L. L. D., No. 1, Certificates, 1826-1877....	1	“
“ J. M., No. 1, Patents, 1854-1861.	1	“
“ W. R. H., No. A, Maryland and Virginia Boundary, and Light Houses, 1877.	1	“
“ W. R. H., No. 1, Patents, 1872-1882....	1	“
“ W. R. H., No. 1, Certificates, 1871-1877.....	1	“
“ W. R. H., No. 2, Patents, 1883..	1	“
“ W. R. H., No. 1, Warrants, 1880.....	1	“
“ J. T. S., No. 1, Certificates, 1888.....	1	“
Warrants, Assignments, Petitions, &c., 1661-1879..	71	“

Eastern Shore Records, Patents and Certificates, 1796-1842.....	8	Vols.
General Indices to Warrants.....	5	"
Eastern Shore Warrants, Assignments, &c., 1781- 1842.....	15	"
Rent Rolls.....	49	"

Appendix No. 2.

Records belonging to the Land Office, now in the possession of the Maryland Historical Society, under the provisions of the Act of 1882, chapter 138.

Upper House Journals, 1659-1777.....	14	Vols.
Lower House Journals, 1676-1763.....	14	"
Assembly Proceedings, 1637-1774.....	8	"
Journal of Senate, 1783... .	1	"
Journals of House of Delegates, 1777-1780.....	3	"
Council Proceedings, &c., 1636-1791.....	21	"
Commissions, 1726-1786.....	3	"
Maryland Archives, 1682-1785.....	1	"
Court of Oyer and Terminer, 1728-1752.....	1	"
Letter Books, 1756-1793.....	8	"
Board of Revenue, 1768-1775.....	1	"
Entry Book, 1771 . .	1	"
Invoice Books, 1771-1776.....	1	"
Postage Book, 1774-1777... .	1	"
Ledger, B. No. 2, 1780-1782.....	1	"
Day Book, 1784-1786.....	1	"
Proprietary Papers, 1701-1776.....	6	"
Church Vestry Papers, various periods.....	2	"
Proprietary Papers relative to Indians, 1638-1764, and Correspondence, 1744-1764.....	1	"
Correspondence of Lord Baltimore and Officers of the British Crown, &c.....	1	"
Papers in the case of the designed arrest of Gov- ernor Eden, &c.....	1	"
Minutes of Maryland Convention, 1775....	1	"

Minutes of Council of Safety, Instructions and Correspondence of Maryland Delegates in Congress etc., 1776-1790.....	32 Vols.
Sixty-two letters from General Washington, 1777-1799	1 “
Letters from General Smallwood, 1777-1782	1 “
Letters from Generals Gist and O. H. Williams, 1775-1781.....	1 “
Miscellaneous Papers, 1777-1797.....	5 “
Military Correspondence, 1779-1781 ..	1 “
Printed Broad­sides.....	1 “
Maryland Stock in Bank of England...	1 “
Maryland Bank Stock in England.	1 “
Papers concerning losses during Revolutionary War, and Information about British Property.....	1 “
Liber C. & W. H., 1638-1678.	
“ W. H. & L., 1640-1692.	
“ L. L., No. 1, 1692.	
“ L. L., No. 2, 1692-1704.	
“ L. L., No. 3, 1704-1710.	

Appendix No. 3.

BOUNDARIES.

I. MARYLAND, PENNSYLVANIA AND DELAWARE.

Report of Commissioners, 1850. Three Copies.

Report of Lieutenant Graham.

Map of the Line, as run by Lieutenant Graham.

II. MARYLAND, AND PENNSYLVANIA.

Agreement between Charles Lord Baltimore and John, Thomas and Richard Penn, of May 10, 1732, and the Commission to the Pennsylvania Commissioners of May 12, 1732. (Printed.)

Agreement between Lord Baltimore and Thomas and Richard Penn, of July 4, 1760. (Parchment, worn.)

Commission to Horatio Sharpe and others, Maryland Commissioners, under foregoing agreement. (Parchment, in fair condition.)

Minutes of the Joint Commissioners of Lord Baltimore and the Penns, November 19, 1760, to November 9, 1768.

Minutes of Commissioners, April 30, 1762, to August 30, 1763.

Field Notes and Journal of the Surveys of Lord Baltimore and the Penns, for the year 1761.

Original Astronomical Observations and Journal of Mason and Dixon, November 15, 1763, to October 4, 1767.

III. MARYLAND AND VIRGINIA.

Correspondence of the Joint Commissioners under the Acts of March and May, 1852, and of March, 1860.

A. Western Boundary.

Measurements of the Meridian, original notes by Daser, 1860, Books 1 and 2.

Astronomy, 1859, Lieutenant Michler.

Data used in Compilation of Maps from Fairfax Stone to Pennsylvania Line, 1859, 1860, 1861.

Original Astronomical Computations.

Original Notes of Survey, Books 1, 2, 3, 4.

Atlas of Western Boundary, 26 plates by Lieutenant Michler.

B. East of the Bay and Southern Boundary.

Data used in the Compilation of the Maps, 1859.

Survey Books, 1858. No. 1, Commencing at Chincoteague Bay; No. 2, Commencing at Pocomoke River.

Field Books (Theodolite,) Nos. 1, 2, 3, 4, Lieut. Michler.

The Black-Jenkins Award, (Map), 1877.

Smith's Point to Atlantic Ocean, (Map), 1883.

Winthrop and Lee's Map of the Boundary Line between Dorchester and Somerset Counties, 1860.

